

## NOTICE OF PROPOSED ORDINANCE

Pursuant to Section 7-3 of the Town of Castle Rock Home Rule Charter, notice is hereby given that the Town Council will consider adoption of the following named and described Ordinance during its Regular Meeting on May 16, 2017 at 6:00 P.M. at the Castle Rock Town Council Chambers, 100 N. Wilcox St., Castle Rock, CO 80104

Title of Proposed Ordinance:

Ordinance Amending the Town's Zone District Map by Rezoning the Property Located at 249 S. Gilbert Street from I-1 Light Industrial and R-1 Single-Family Residence to I-1 Light Industrial

Subject Matter Summary:

The purpose of this ordinance is to zone the property located at 249 S. Gilbert in its entirety as I-1 Light Industrial. The property is currently zoned R-1 Single-Family Residence and I-1 Light Industrial.

The entire text of the proposed Ordinance is contained herein, and copies of all documents are available for public inspection at the office of the Town Clerk, 100 N. Wilcox St., Castle Rock, CO 80104, during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Publication Date: May 8, 2017

ORDINANCE NO. 2017-XXX

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY REZONING THE PROPERTY LOCATED AT 249 S GILBERT STREET FROM I-1 LIGHT INDUSTRIAL AND R-1 SINGLE-FAMILY RESIDENCE TO I-1 LIGHT INDUSTRIAL

WHEREAS, The Town of Castle Rock has initiated the rezoning of the property further described in the attached *Exhibit 1* ("Property"); and

WHEREAS, the Property is currently zoned I-1 Light Industrial and R-1 Single Family Residence; and

WHEREAS, the Town has determined that it is appropriate to rezone the Property from I-1 Light Industrial and R-1 Single Family Residence to I-1 Light Industrial; and

WHEREAS, the rezoning of the Property conforms with the 17.02.060.C of the Castle Rock Municipal Code; and

WHEREAS, the Planning Commission and Town Council have conducted the required public hearings in accordance with the applicable provisions of the Town of Castle Rock Municipal Code.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

**Section 1. Zoning Approval.** The Property is rezoned to I-1 Light Industrial zoning. The Town's Zoning District Map pertaining to the Property is amended to reflect the zoning classification I-1 Light Industrial, for the Property.

**Section 2. Severability.** If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

**Section 3. Safety Clause.** The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 16th day of May, 2017, by a vote of \_\_\_ for and \_\_\_ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_, 2017, by the Town Council of the Town of Castle Rock by a vote of \_\_\_ for and \_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Acting Town Clerk

\_\_\_\_\_  
Jennifer Green, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Robert J. Slentz, Town Attorney

\_\_\_\_\_  
Bill Detweiler, Director of Development Services

## LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER SOUTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-SIXTEENTH CORNER COMMON TO SAID SECTION 11 AND SECTION 12 OF SAID TOWNSHIP 8, SOUTH RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN WHENCE THE EAST ONE-QUARTER CORNER OF SAID SECTION 11 BEARS N 00° 54' 12" W FORMING THE BASIS OF BEARING USED IN THIS DESCRIPTION WITH ALL BEARINGS DESCRIBED HEREON RELATIVE THERETO; THENCE ALONG THE SOUTH LINE OF THE SAID NORTHEAST ONE-QUARTER SOUTHEAST ONE-QUARTER TO A REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – EPP & ASSOC. INC., PLS 14815) AT THE SOUTHWEST CORNER OF THE LAFARGE READY MIX FINAL PLAT (REC. NO. 2007096197), N 88°22' 26" W, 844.77 FEET, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF THE SAID NORTHEAST ONE-QUARTER SOUTHEAST ONE-QUARTER TO A REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – PLS 37993) AT THE SOUTHEAST CORNER OF BOOK 831, PAGES 25 AND 26, N 88° 22' 26" W, 281.04 FEET; THENCE ALONG THE EASTERLY LINES AND NORTH LINE OF SAID BOOK 831, PAGES 25 AND 26 THE FOLLOWING FOUR (4) COURSES:

- 1) TO A 5/8 INCH REBAR, N 40° 51' 13" W, 79.24 FEET;
- 2) TO A REBAR WITH A 1.5 INCH ALMUMINUM CAP (STAMPED – FRONTIER SUR., PLS25953), N 20° 58' 56" W, 158.19 FEET;
- 3) TO A REBAR WITH A 1.5 INCH ALUMINUM CAP (STAMPED – FRONTIER SUR., PLS 25953), N10° 41' 47" W, 129.42 FEET;
- 4) TO A REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – PLS 37993) ON THE WEST LINE OF THE SAID NORTHEAST ONE-QUARTER SOUTHEAST ONE-QUARTER, S 89° 40' 32" W, 16.10 FEET;

THENCE ALONG THE SAID WEST LINE TO A ½ INCH REBAR AT THE SOUTHWEST CORNER OF BOOK 112, PAGE 59, N 00° 19' 28" W, 33.03 FEET; THENCE ALONG THE BOUNDS OF SAID BOOK 112, PAGE 59 THE FOLLOWING THREE (3) COURSES:

- 1) TO A CONCRETE NAIL WITH A 2 INCH ALUMINUM WASHER (STAMPED – PLS 37993), N 89° 50' 29" E, 25.00 FEET;
- 2) TO A REBAR WITH A 1.5 INCH ALUMINUM CAP (STAMPED – 3D LS, PLS 27611), N 00° 15' 46" W, 25.00 FEET;
- 3) TO A REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – PLS 37993) ON THE WEST LINE OF THE SAID NORTHEAST ONE-QUARTER SOUTHEAST ONE-QUARTER, S 89° 50' 29" W, 25.00 FEET;

THENCE ALONG THE SAID WEST LINE TO A REBAR WITH A 1.5 INCH ALUMINUM CAP (STAMPED – 3D LS, PLS 27611) AT THE SOUTHWEST CORNER OF SELLERS CREEK SUBDIVISION FILING NO. 1 (REC. NO. 97274090), N 00° 19' 28" W, 496.52 FEET;

## EXHIBIT 1

THENCE ALONG THE SOUTH LINE OF SAID SELLERS CREEK SUBDIVISION FILING NO. 1 TO A REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – PLS 37993) AT THE SOUTHEAST CORNER OF SAID SELLERS CREEK SUBDIVISION FILING NO.1, SAID SOUTHEAST CORNER BEING ON THE WEST LINE OF BOOK 1050, PAGE 150, N 84° 37' 13" E, 385.93 FEET;

THENCE ALONG THE WEST LINE OF SAID BOOK 1050, PAGE 150, S 34° 48' 17" E, 58.07 FEET;

THENCE ALONG THE SOUTH LINE OF SAID BOOK 1050, PAGE 150 TO THE WEST RIGHT-OF-WAY OF SOUTH GILBERT STREET AS DESCRIBED IN SAID BOOK 1050, PAGE 150, N 80° 42' 52" E, 53.21 FEET;

THENCE ALONG THE SAID WEST RIGHT-OF-WAY TO REBAR WITH A 1.5 INCH YELLOW PLASTIC CAP (STAMPED – EMK, PLS 12405) AT THE NORTHEAST CORNER OF SAID LAFARGE READY MIX FINAL PLAT, S 34° 48' 17" E, 385.82 FEET;

THENCE ALONG THE NORTH LINE OF SAID LAFARGE READY MIX FINAL PLAT TO A 5/8 INCH REBAR AT THE NORTHWEST CORNER OF SAID LAFARGE READY MIX FINAL PLAT, S 62° 04' 48" W, 425.20 FEET;

THENCE ALONG THE WEST LINE OF SAID LAFARGE READY MIX FINAL PLAT, S 17° 34' 43" E, 391.82 FEET TO THE POINT OF BEGINNING.

### EXCLUDING

A PIECE OF LAND LYING IN A PARCEL OF LAND AS RECORDED UNDER RECEPTION NO. 2016055030 OF THE DOUGLAS COUNTY CLERK AND RECORDERS OFFICE, LYING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, BEING MONUMENTED WITH A 3.25" ALUMINUM CAP STAMPED "PLS 22103" WHENCE THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11, BEING MONUMENTED WITH A 3.25" ALUMINUM CAP STAMPED "PLS 14815 35.00' WITNESS CORNER" BEARS N°89 22' 26" W, A DISTANCE OF 1272.53 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11 N 89° 22' 26" W, A DISTANCE OF 1038.49 TO THE POINT OF **BEGINNING**;

THENCE CONTINUING ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11 N 89° 22' 26" W, A DISTANCE OF 87.33 FEET TO THE SOUTHWEST CORNER OF SAID RECEPTION NO. 2016055030;

THENCE DEPARTING SAID SOUTH LINE AND ALONG THE WESTERLY LINE OF SAID RECEPTION NO. 2016055030 THE FOLLOWING FOUR (4) COURSES:

1) N 40° 51' 13" W, A DISTANCE OF 79.24 FEET; 2) N 20° 58' 56" W, A DISTANCE OF 158.19 FEET; 3) N 10° 41' 47" W, A DISTANCE OF 129.42 FEET; 4) S 89° 40' 32" W, A DISTANCE OF 16.10 FEET TO A POINT ON

## EXHIBIT 1

THE WEST LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, ALSO BEING A POINT ON THE WEST LINE OF SAID RECEPTION NO. 2016055030;

THENCE ALONG SAID WEST LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID WEST LINE ALSO BEING THE WEST LINE OF SAID RECEPTION NO. 2016055030, N 00° 20' 10" W, A DISTANCE OF 33.03 FEET TO A CORNER OF A PARCEL OF LAND RECORDED UNDER BOOK 112 AT PAGE 59 OF SAID CLERK'S OFFICE;

THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINES OF SAID BOOK 112 AT PAGE 59, ALSO BEING THE COMMON LINES OF SAID RECEPTION NO. 2016055030 THE FOLLOWING THREE (3) COURSES:

1) N 89° 50' 29" E, A DISTANCE OF 24.98 FEET; 2) N 00° 15' 46" W, A DISTANCE OF 25.00 FEET; 3) S 89° 50' 29" W, A DISTANCE OF 25.00 FEET TO A POINT ON SAID WEST LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SAID WEST LINE ALSO BEING THE WEST LINE OF SAID RECEPTION NO. 2016055030;

THENCE ALONG SAID WEST LINES N 00° 19' 28" W, A DISTANCE OF 496.52 FEET TO THE NORTHWEST CORNER OF SAID RECEPTION NO. 2016055030;

THENCE ALONG THE NORTHERLY LINE OF SAID RECEPTION NO. 2016055030, N 84° 37' 13" E, A DISTANCE OF 12.84 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, S 23° 10' 18" E, A DISTANCE OF 5.92 FEET; THENCE S 17° 59' 16" E, A DISTANCE OF 5.51 FEET; THENCE S 46° 33' 34" E, A DISTANCE OF 25.59 FEET; THENCE S 60° 05' 22" E, A DISTANCE OF 14.82 FEET; THENCE S 53° 39' 30" E, A DISTANCE OF 13.06 FEET; THENCE S 51° 30' 45" E, A DISTANCE OF 12.78 FEET;

THENCE S 00° 13' 57" E, A DISTANCE OF 32.45 FEET; THENCE S 02° 07' 31" E, A DISTANCE OF 24.53 FEET; THENCE S 04° 50' 17" W, A DISTANCE OF 12.37 FEET; THENCE S 03° 11' 44" W, A DISTANCE OF 18.61 FEET; THENCE S 05° 36' 18" E, A DISTANCE OF 23.15 FEET; THENCE S 05° 54' 12" E, A DISTANCE OF 8.61 FEET;

THENCE S 06° 46' 13" E, A DISTANCE OF 18.41 FEET; THENCE S 06° 42' 46" E, A DISTANCE OF 32.27 FEET; THENCE S 06° 26' 41" E, A DISTANCE OF 15.66 FEET; THENCE S 06° 48' 11" E, A DISTANCE OF 19.05 FEET; THENCE S 01° 08' 19" E, A DISTANCE OF 23.06 FEET; THENCE S 00° 00' 00" E, A DISTANCE OF 19.22 FEET;

THENCE S 00° 03' 02" W, A DISTANCE OF 17.68 FEET; THENCE S 00° 18' 30" W, A DISTANCE OF 31.74 FEET; THENCE S 00° 53' 57" W, A DISTANCE OF 27.03 FEET; THENCE S 01° 39' 21" E, A DISTANCE OF 23.54 FEET; THENCE S 04° 56' 23" E, A DISTANCE OF 33.94 FEET; THENCE S 01° 56' 33" E, A DISTANCE OF 33.05 FEET;

THENCE S 05° 59' 39" W, A DISTANCE OF 30.40 FEET; THENCE S 08° 22' 38" W, A DISTANCE OF 41.03 FEET; THENCE S 08° 06' 35" E, A DISTANCE OF 38.72 FEET; THENCE S 06° 39' 27" E, A DISTANCE OF 26.93

## EXHIBIT 1

FEET; THENCE S 21° 46' 57" E, A DISTANCE OF 25.84 FEET; THENCE S 26° 21' 17" E, A DISTANCE OF 27.48 FEET;

THENCE S 28° 44' 43" E, A DISTANCE OF 25.55 FEET; THENCE S 30° 47' 42" E, A DISTANCE OF 29.77 FEET; THENCE S 29° 55' 22" E, A DISTANCE OF 41.42 FEET'; THENCE S 29° 23' 47" E, A DISTANCE OF 28.60 FEET; THENCE S 26° 49' 09" E, A DISTANCE OF 24.94 FEET; THENCE S 33° 09' 36" E, A DISTANCE OF 19.62 FEET;

THENCE S 30° 45' 31" E, A DISTANCE OF 31.36 FEET; THENCE S 35° 07' 41" E, A DISTANCE OF 18.86 FEET; THENCE S 33° 06' 15" E, A DISTANCE OF 21.63 FEET; THENCE S 14° 26' 40" W, A DISTANCE OF 14.50 FEET; THENCE S 33° 07' 34" E, A DISTANCE OF 24.06 FEET TO THE **POINT OF BEGINNING**.